IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Bail Appl..No. 1293 of 2007

CRIME NO.85/2006 OF CHEMMANGAD POLICE STATION

.....

PETITIONER/ACCUSED NO.4

SABIRA P.K.,
W/O.HANEEFA, AGED 30 YEARS, PARATHAKKAD HOUSE,
THATHOOR, P H E D , PAYOOR P.O.,
KOZHIKODE- 673 661.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA THROUGH THE
SUB INSPECTOR OF POLICE,
CHEMMANGAD POLICE STATION, REPRESENED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1293/2007

Dated this 5th day of March, 2007

O R D E R

The petitioner, a lady, who is the fourth accused in Crime No.85/2006 of Chemmangad Police Station for offences punishable under Sections 498-A, 406 and 420 IPC read with Section 149 IPC seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the first accused, Haneefa, married the defacto complainant, Jayasath, on 14.5.2006 and mis-appropriated her money and ornaments, after subjecting her to cruelty and that the petitioner, who is the first wife of the said Haneefa, had introduced herself as the sister of Haneefa.

4. Having regard to the nature of the allegations levelled against the petitioner,who is a lady,and the other circumstances of the case,I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the Investigating Officer to release the petitioner on bail for a period of one month in the event of her arrest in connection with the above case on her executing a bond for Rs. 10,000/-(Rupees ten thousand only)

with two solvent sureties each for the like amount to the satisfaction of the Investigating officer and subject to the following conditions:-

(a). The petitioner shall make herself available for interrogation as and when required by the Investigating Officer.

(b). The petitioner shall not influence or intimidate the prosecution witnesses nor shall she attempt to tamper with the evidence of the prosecution.

(c). Petitioner shall not commit any offence while on bail.

(d). The petitioner shall surrender before the concerned Magistrate within the above period of one month and seek regular bail.

5. If the petitioner commits breach of any of the above conditions, the bail granted to her shall be liable to be cancelled.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs